

## ZONING VARIANCE CHECKLIST

### ZONING VARIANCE REQUIREMENTS

A Zoning Variance is a request to deviate from current City of Bozeman zoning requirements. A Zoning Variance would allow the property owner to use the land in ways not typically permitted by the zoning ordinance. This waiver from the established requirements of the zoning ordinance does not change zoning laws but rather offers an exception to land use regulations.

### DIGITAL SUBMITTAL & NAMING PROTOCOL

1. Create and submit a Planning application using the [ProjectDox portal](#);
  - a. After completing your Development Review Application, you will receive a Notification Letter ([example](#)) via email. Please download this document and obtain owner's signature. Upload as a PDF to the "Documents" folder in ProjectDox.
2. The digital copies must be separated into two categories: Documents and Drawings.
  - a. The Documents folder should include items such as application forms, narrative, response to City comments, supplemental documents, technical reports, easements, legal documents, etc.
  - b. The Drawings folder should include items such as site plans, civil plans, landscape plans, photometric plans, elevations, etc. All drawing files must be drawn and formatted for a 24" x 36" sheet file or 11" x 17" sheet file. Plan pages shall be properly oriented in landscape mode. Refer to our [Quick Guide](#) for additional information;
3. Naming protocol. All files should be numbered and named according to their order listed on your provided Submittal Checklist. File names should start with a numeric value followed by the document name. The numeric value at the beginning of the file name ensures the order in which they are displayed. Refer to our [Quick Guide](#) for additional information;

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1. Create and submit a Planning application using the [ProjectDox portal](#);
2. Project narrative describing the project type, proposed use scope, size (dwellings, building size(s), building height(s), number of buildings, number of total parking spaces) intent, and phasing, if applicable. The narrative must include a responses to the following:
  - a. Response to the requirement that the variance will not be contrary to and will serve the public interest;
  - b. Response to the requirement that the variance is necessary, owing to conditions unique to the property, to avoid an unnecessary hardship which would unavoidably result from the enforcement of the literal meaning of the chapter (Chapter 38, BMC);
    - i. Hardship does not include difficulties arising from actions, or otherwise be self imposed, by the application of previous predecessors in interest, or potential for greater financial returns; and
    - ii. Conditions unique to the property may include, but are not limited to slope, presence of watercourses, after the fact imposition of additional regulations on previously lawful lots, and governmental actions outside of the owners control;
  - c. Response to the requirement that the variance will observe the spirit of the chapter (Chapter 38, BMC), including the adopted growth policy, and do substantial justice.
3. Location/vicinity map, including area within one-half mile of the site.
4. Site plan with north arrow showing property dimensions, location of buildings, parking, driveways, off street loading, landscaping, location of utilities, access, pedestrian facilities, and variance location. Suggested scale of 1 inch to 20 feet, but not less than 1 inch to 100 feet.
5. Floor plans showing floor layout including square footage and proposed use for each room and area within the building if applicable. Suggested scale of ¼ to 1 foot.
6. Parking calculations for all uses if applicable, including detailed calculations of deductions if proposed.

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## NOTICING

When applying for a Zoning Variance, a public notice period is required.

1. Completed and signed property adjoiners certificate form N1.

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## REQUIRED FORMS

[N1](#), [SP](#)

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## APPLICATION FEE

For most current application fee, see [Schedule of Community Development fees](#). Fees are typically adjusted in January.

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## CONTACT US

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